

ILLINOIS POLLUTION CONTROL BOARD
November 23, 1977

ADDRESSOGRAPH-MULTIGRAPH CORP.,)
)
Petitioner,)
)
v.) PCB 77-225
)
ENVIRONMENTAL PROTECTION AGENCY,)
)
Respondent.)

OPINION AND ORDER OF THE BOARD (by Mr. Dumelle):

This case comes before the Board on a Petition for Variance from the requirements of Rule 203(e)(4) of the Board's Air Pollution Control Regulations. The Agency has recommended that the variance be granted. No hearing was held.

Petitioner operates a plant in Charleston, Illinois which manufactures reproduction "print" paper which is used to make copies of engineering drawings. Petitioner's process involves coating white paper with a solution of various compounds. Residues of this solution are washed from Petitioner's coating machines and run off into drains where the solution is diluted and contained. This waste water is incinerated.

Petitioner's incinerator complies with the Board's emission limitations for all parameters except particulates. Violation of the particulate limitation in Rule 203(e)(4) occurs as a result of application of the 12% CO₂ correction factor mandated by that rule.

Petitioner is presently seeking relief from the 12% CO₂ correction requirement in a regulatory proceeding designated as R77-5. This variance is requested so that Petitioner can continue operating its incinerator in its present state until the Board enters a final decision in R77-5.

The Petitioner and the Agency agree that no significant environmental harm would result from the requested relief.

Denial of a variance in this instance would constitute an arbitrary or unreasonable hardship on Petitioner for the following reasons. First, Petitioner would have to choose between operating its incinerator without the necessary Agency permits and face a possible enforcement action or shutting down its incinerators without a feasible alternative means of disposal of its waste water. Second, it would not be appropriate for Petitioner to initiate a costly compliance program when the Board may rule that none is necessary.

As a condition of this variance, Petitioner will be required to operate its incinerator without causing any particulate emissions in excess of 0.1 grains per standard cubic foot of effluent gases without correction to 12% CO₂.

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

It is the Order of the Pollution Control Board that Petitioner be granted a variance from the requirements of Rule 203(e)(4) of the Board's Air Pollution Control Regulations until the Board enters a final decision in the proceeding designated as R77-5 subject to the following conditions:

- 1) Petitioner shall continue to operate its incinerator during the term of this variance without causing any particulate emissions in excess of 0.1 grains per standard cubic foot of effluent gases without correction to 12% CO₂.
- 2) Within 28 days after the date of the Board Order in this proceeding the Petitioner shall execute and forward to the Environmental Protection Agency, Enforcement Programs, 2200 Churchill Road, Springfield, Ill. 62706 and to the Pollution Control Board, a Certificate of Acceptance and Agreement to be bound by all the terms and conditions of the variance, with the Certificate in the following form:

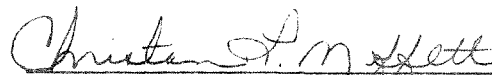
CERTIFICATION

Addressograph-Multigraph Corporation has received and understands the Order of the Illinois Pollution Control Board in PCB 77-225 and hereby accepts said Order and agrees to be bound by all of the terms and conditions thereof.

By: _____

Title of Position

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 23rd day of November, 1977 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board